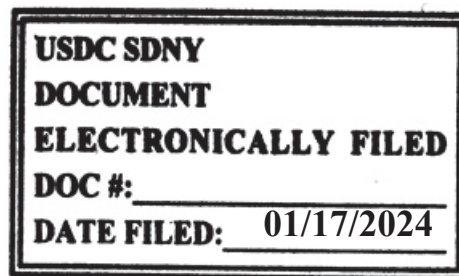


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January 17, 2024

## VIA CM/ECF

Hon. Katharine H. Parker, U.S.M.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

# MEMO ENDORSED

**Re: Smith v. Akela Contracting LLC, et al., Civil Action No: 1:22-cv-01185-VSB**

Dear Judge Parker:

Our offices are counsel to Defendants Akela Contracting LLC (“Akela”), Akela Contracting/Civetta Cousins JV, Joint Venture, LLC (the “LLC”), and Karine Williams (“Williams”, and, together with Akela and the LLC, the “Akela Defendants”) in connection with the above-referenced action. We write, in accordance with rules I(a) and (b) of Your Honor’s Individual Practices in Civil Cases, and with the consent of counsel for Plaintiff Anthony Smith (“Smith”), and co-defendants, JDV Safety Inc., All Eyes On Safety, Inc., and Brian McDermott (collectively, the “JDV Defendants”, and together with Plaintiff and the Akela Defendants, the Prime Parties”) and counsel for Third-Party Defendant The City of New York, and, together with the Prime Parties, the “Parties”), in order to respectfully request a thirty (30) day adjournment of the settlement conference, presently scheduled to take place before Your Honor on February 7, 2024, at 10:00 a.m., and request for new date.

Following the Court granting an adjournment of the settlement conference on November 21, 2023 (ECF. No. 137), due to unexpected and unanticipated scheduling conflicts concerning personal hardship, Akela Defendants’ party representative will be unable to attend the settlement conference, presently scheduled for February 7, 2024. The foregoing request is made by Akela Defendants in an effort to facilitate the productive settlement discussion amongst the parties with all representatives present. Akela Defendants do not anticipate any further extension requests being required.

Based on the foregoing, Akela Defendants respectfully request that the foregoing motion to adjourn the settlement conference be granted. This request does not effect the Parties' submission of the amended Case Management Plan, which shall be timely submitted by January 23, 2024. This is the third request for adjournment and new date of the settlement conference. Previously, the Court granted the Parties' August 18, 2023, request, which moved the settlement conference from September 19, 2023 to December 4, 2023 (ECF No. 110), and the Parties' November 21, 2023, request, which moved the settlement conference from December 4, 2024 to February 7, 2024 (ECF. No. 137).

We thank the Court for its time and consideration of Akela Defendants' request.

Respectfully submitted,

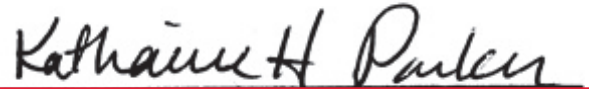


Casey J. Rahn, Esq.

cc: All Counsel of Record (Via CM/ECF)

**APPLICATION GRANTED: The Settlement Conference in this matter scheduled for Wednesday, February 7, 2024 at 10:00 a.m. in Courtroom 17-D, United States Courthouse, 500 Pearl Street, New York. is hereby rescheduled to Wednesday, March 13, 2024 at 10:00 a.m. Parties must attend with their counsel. Corporate parties must send the person with decision making authority to settle the matter to the conference. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with the Judge Parker's Individual Rules of Practice. Pre-conference submissions must be received by the Court no later than March 6, 2024 by 5:00 p.m.**

**APPLICATION GRANTED**



**Hon. Katharine H. Parker, U.S.M.J.**

01/17/2024